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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.: 09/729,362

ART UNIT: 2164

Applicant : Itzhak Shoher

Examiner: AL HASHEMI, SANA A

Title: PORTABLE DEVICE AND SYSTEM  
TO REMOTELY ACCESS A COMPUTER ETC.

Filing Date: Dec. 5, 2000

Commissioner For Patents

P.O. Box 1451

Alexandria Va. 22313-1451

**PETITION TO WITHDRAW HOLDING OF ABANDONMENT UNDER 37 CFR 1.181**

Sir:

This is a petition to withdraw the holding of abandonment of the above application, a copy of which is attached, based upon the fact that the Notice of Allowance And Fees Due did not have a Notice of Allowability attached and that Applicant was not otherwise aware of the requirement to submit corrected drawings. Only three pages were received with the Notice of Allowance, a copy of which is attached, inclusive of pages 1-3 respectively, with page 1 of 3 as the Notice of Allowance, page 2 of 3 as the Issue Fee Transmittal page and page 3 of 3 as the Determination of Patent Term Adjustment under 35 U.S.C. 154(b). Accordingly, no pages were missing. Applicant duly submitted payment of the issue fee within the required time period as evidenced by the attached copy of the return postcard.

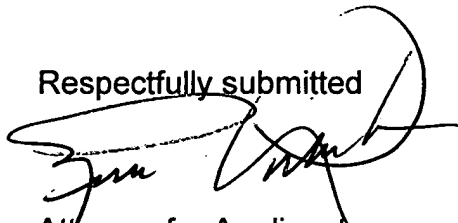
A proposed response with a copy of the formal drawings is attached hereto. Applicant would clearly not have paid the issue fee by itself without submission of

corrected drawings if applicant were duly notified to submit corrected drawings. No requirement for corrected drawings was made prior to receipt of the Notice of Allowance and Applicant had no reason to investigate a missing "notice of allowability" in view of the proper number of pages in the submission of the Notice of Allowance. Many patents are now issued with informal drawings as originally submitted.

The undersigned is the attorney for applicant and with first hand knowledge avers that no notice of allowability was attached to the Notice of Allowance.

This petition is being filed within ONE month of the mailing date of the notice of abandonment.

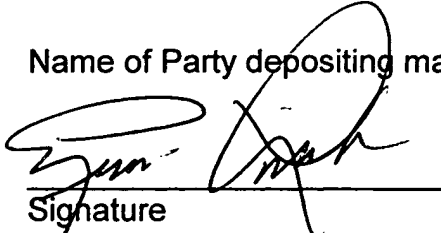
Respectfully submitted

  
Attorney for Applicant  
Reg. No. 24645  
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### CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents P.O. Box 1451, Alexandria Va. 22313-1451 on the date shown below.

Name of Party depositing mail

  
Signature

Date August 10, 2008  




# UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/729,362	12/05/2000	Itzhak Shoher	SHO-2000-4	3707
7590 08/15/2008				
EUGENE LIEBERSTEIN 2151 LONG RIDGE ROAD STAMFORD, CT 06903				
EXAMINER AL HASHEMI, SANA A				
ART UNIT		PAPER NUMBER		
2164				
MAIL DATE		DELIVERY MODE		
08/15/2008		PAPER		

## Notice of Abandonment

This application is abandoned in view of:

1. ☐ The applicant's failure to timely file a proper reply to the Office letter mailed on \_\_\_\_\_.
  - (a) ☐ A reply was received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission date \_\_\_\_\_), which is after the expiration of the period for reply (including a total extension of \_\_\_\_\_ month(s)) which expired on \_\_\_\_\_.
  - (b) ☐ A proposed reply was received on \_\_\_\_\_, but it does not constitute a proper reply under 37 CFR 1.113(a) to the final rejection. (A proper reply under 37 CFR 1.113 to a final rejection consists only of:
    - (1) a timely filed amendment which places the application in condition for allowance;
    - (2) a timely filed Notice of Appeal (with appeal fee);
    - (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
  - (c) ☒ A reply was received on \_\_\_\_\_ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box e below).
  - (d) ☐ No reply has been received.
2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
  - (a) ☐ The issue fee and publication fee, if applicable, was received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission date \_\_\_\_\_), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
  - (b) ☐ The submitted fee of \$\_\_\_\_\_ is insufficient. A balance of \$\_\_\_\_\_ is due.  
The issue fee required by 37 CFR 1.18 is \$\_\_\_\_\_.  
The publication fee, if required by 37 CFR 1.18(d), is \$\_\_\_\_\_.
  - (c) ☐ The issue fee and publication fee, if applicable, has not been received.
3. ☒ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
  - (a) ☐ Proposed corrected drawings were received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the period for reply.
  - (b) ☒ No corrected drawing have been received.
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. ☐ The decision by the Board of Patent Appeals and Interference rendered on \_\_\_\_\_ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. ☐ The reason(s) below:

Petitions to revive under 37 CFR 1.137(a) or (b), or request to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.

Telephone inquiries should be directed to the Office of Data Management at (571) 272-4200.

Patent Publication Branch  
Office of Data Management